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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,639	10/06/2003	Daniel F. Goldstein		3940

7590 08/10/2005  
ROBERT M. SKOLNIK  
353 MONMOUTH ROAD  
PO BOX 22  
WEST LONG BRANCH, NJ 07764-0022

EXAMINER

WILLIAMS, DON J

ART UNIT PAPER NUMBER

2878

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/679,639	GOLDSTEIN, DANIEL F.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Don Williams	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10/10/2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This Office Action is in response to the Applicant's application filed on October 6, 2003.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Yu et al (5,726,629).

As to claim 1, Yu et al disclose a series of lights (light bulbs) which are normally OFF; sensor (motion detector) connected to a series of lights (light bulbs) for activating them on the occurrence of a predetermined event; and (power source) connected to series of lights (light bulbs) and sensor (motion detector) for providing electrical energy, (see Abstract, fig. 1, column 2, lines 6-60, fig. 2, column 2, lines 61-67, column 3, lines 1-5).

As to claim 2, Yu et al teach the detection of movement of an object or a person in the proximity of a motion detector located in a designated area, (see Abstract, fig. 1, column 2, lines 6-60, fig. 2, column 2, lines 61-67, column 3, lines 1-5).

As to claim 3, Yu et al disclose a series of lights (light bulbs) inherently mounted in an area to be illuminated; motion sensor (motion detector) connected to series of lights (light bulbs) for illuminating series of lights (light bulbs) on the occurrence of motion detected by the sensor (motion detector) and electrical power (power source) connected to series of lights (light bulbs) and sensor (motion detector) for providing electrical energy, (see Abstract, fig. 1, column 2, lines 6-60, fig. 2, column 2, lines 61-67, column 3, lines 1-5).

Claims 1-4 are rejected under U.S.C. 102(e) as being anticipated by Bingham et al (6,819,239).

As to claim 1, Bingham et al disclose a series of lights (36) which are normally OFF, sensor (34) connected to series of lights (36) for activating them on the occurrence of a predetermined event; and (38) connected to series of lights (36) and sensor (34) for providing electrical energy, (see Abstract, fig. 1 and 2, column 7, lines 16-29, fig. 3, column 7, lines 30-61, column 9, lines 32-37, claim 1, claim 19).

As to claim 2, Bingman et al teach the detection of movement of an object or a person in the proximity of a motion detector located in a designated area, (see Abstract, fig. 1, column 7, lines 16-29, fig. 3, column 7, lines 30-61, column 9, lines 32-37, claim 1, claim 19).

As to claim 3, Bingham et al disclose a series of lights (36) inherently mounted in an area to be illuminated; motion sensor (34) connected to series of lights (36) for illuminating series of lights (36) on the occurrence of motion detected by the motion

sensor (34) and electrical power (38) connected to series of lights (36) and motion sensor (34) for providing electrical energy, (see Abstract, fig. 1 and 2, column 7, lines 16-29, fig. 3, column 7, lines 30-61, column 9, lines 32-37, claim 1, claim 19).

As to claim 4, Bingham et al disclose a plurality of lights (16) connected together to be located adjacent a path to be illuminated, (column 1, lines 12-25); sensor (34) connected to lights (36) turning them ON upon the occurrence of a detected motion by a person or an object; power source (38) connected to lights (36) and motion sensor (34) for providing electrical power, (see Abstract, fig. 1 and 2, column 7, lines 16-29, fig. 3, column 31-61, fig. 6, column 9, lines 32-37, column 11, lines 49-54, claim 1, claim 19).

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Don Williams whose telephone number is 571-272-8538. The examiner can normally be reached on 8:30a.m. to 5:30a.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2878

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Don Williams  
Patent Examiner  
Art Unit 2878  
Ph: 571-272-8538



**DAVID PORTA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**